

Senate Bill No. 544

Passed the Senate August 21, 2003

Secretary of the Senate

Passed the Assembly July 29, 2003

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day of
_____, 2003, at _____ o'clock __M.

Private Secretary of the Governor

└

CHAPTER _____

An act to add Section 27337 to the Government Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

SB 544, Chesbro. Veterans: recorded documents.

(1) The California Public Records Act provides that the public records, as defined, of every state or local agency are open for inspection at all times during the office hours of the agency, that every person has a right to inspect any public record except as provided in the act, and that every agency, upon request, shall make copies of records available upon payment of fees to cover costs. The act authorizes any agency to withhold disclosure of requested public records pursuant to specific statutory exemptions or by demonstrating that on the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record.

Existing law establishes that the officers of a county include a county recorder, with specified duties, including the recording of various documents according to specified procedures.

This bill would require, if any military veteran requests the recordation of any military discharge document, including a veteran's service form DD214, that the county recorder shall require the veteran to sign a form that acknowledges that the document becomes part of the official record of the county, and subject to inspection, as provided. It would also provide, contingent upon the enactment of AB 1179, that no copy of a recorded military discharge document may be issued except as provided by a specified provision of law proposed by that bill. By creating new duties for local agency officials, this bill would create a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.



This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 27337 is added to the Government Code, to read:

27337. If any military veteran requests the recordation in any county in this state of any military discharge document, including a veteran's service form DD214, the county recorder shall require the veteran to sign a form stating the following:

"I, the undersigned, hereby acknowledge that I am informed that by recording the attached military discharge document, all information referenced within it becomes part of the official record of this county, and that this information is open to inspection by any person."

Print Name

Signature

Date

SEC. 2. Section 27337 is added to the Government Code, to read:

27337. (a) If any military veteran requests the recordation in any county in this state of any military discharge document, including a veteran's service form DD214, the county recorder shall require the veteran to sign a form stating the following:

"I, the undersigned, hereby acknowledge that I am informed that by recording the attached military discharge document, all information referenced within it becomes part of the official record of this county, and that this information is open to inspection by any person."

Print Name

Signature

Date



(b) No copy of a recorded military discharge document may be issued except as provided by Section 6107.

SEC. 3. Section 2 of this act shall only become operative if Assembly Bill 1179 of the 2003–04 Regular Session is enacted and takes effect, and that bill amends Section 6107 of the Government Code, in which case Section 1 of this act shall not become operative.

SEC. 4. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.



Approved _____, 2003

Governor

